



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Fukumi MORISHIGE

Group Art Unit: 1614

Application No.: 10/518,768

Examiner: A. HUGHES

Filed: December 21, 2004

Docket No.: 122196

For: PREVENTION OF AND COUNTERMEASURES AGAINST MITOCHONDRIAL DISEASE

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated December 11, 2008.

The \$540.00 Appeal Fee (\$270.00 Small Entity) is:

- ☒ Enclosed (Check No. 219052)
- ☐ Not required (fee paid in prior appeal in this application with no Board Decision on the merits).

The shortened statutory period having expired March 11, 2009, an extension of three months is hereby requested. Included in the attached check is \$555 in payment of the fee for a three month extension of time for filing this Notice of Appeal.

In the event of any underpayment or overpayment, please debit or credit Deposit Account No. 15-0461 as needed in order to effect proper filing of this Notice of Appeal.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Matthew C. Barthalow
Registration No. 60,323

JAO:MCB/amw

Date: June 11, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

06/12/2009 SZEWDIE1 00000007 10518768

01 FC:2401
02 FC:2253

270.00 OP
555.00 OP

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461